

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**HORSEMEN'S BENEVOLENT &
PROTECTIVE ASSOCIATION – OHIO
DIVISION, INC.,**

Plaintiff,

v.

**Case No. 2:25-cv-98
Judge Edmund A. Sargus, Jr.
Magistrate Judge Chelsey M. Vascura**

**HORSERACING INTEGRITY AND
SAFETY AUTHORITY, INC., *et al.*,**

Defendants.

ORDER

This matter is before the Court on the Parties' Joint Motion for Scheduling Order. (ECF No. 24.) Plaintiff Horsemen's Benevolent & Protective Association – Ohio Division, Inc. filed a Motion for Preliminary Injunction on February 4, 2025. (ECF No. 2.) The Parties now jointly move the Court to set a briefing schedule regarding the filing of the administrative record and the Parties' forthcoming cross-motions for judgment on the administrative record. The Parties also move the Court to stay any deadline to respond to the Complaint. Further, Plaintiff withdraws the Motion for Preliminary Injunction, conditioned upon the Court's approval of the Joint Motion for Scheduling Order.

The Court **GRANTS** the Joint Motion for Scheduling Order. (ECF No. 24.) The Court **STAYS** Defendants' deadlines to respond to the Complaint and sets the following briefing schedule:

- April 11, 2025 – On or before this date, Defendant Federal Trade Commission ("FTC") shall file a certified list describing the administrative record, with permanent hyperlinks to Internet records.
- April 25, 2025 – If Plaintiff has any concerns regarding the completeness

of the administrative record, Plaintiff will notify counsel for the parties, who shall meet and confer by this date in an effort to resolve the issue.

- May 2, 2025 – If any dispute regarding the administrative record cannot be resolved absent Court intervention, Plaintiff will file a motion to supplement or complete the administrative record by this date, which shall be briefed and handled pursuant to Local Rules. Any dispute pertaining to the record will vacate the briefing schedule set out below. In such case, counsel for the parties will promptly meet and confer after the Court rules on the record motion to discuss a revised briefing schedule and propose such a schedule to the Court.
- May 12, 2025 – Plaintiff's motion for judgment on the administrative record is due.
- June 11, 2025 – Defendants' consolidated cross-motions for judgment on the administrative record, and memoranda in opposition to Plaintiff's motion, are due.
- July 11, 2025 – Plaintiff's consolidated reply memorandum in support of its motion, and its memorandum in opposition to Defendants' cross-motions, is due.
- August 1, 2025 – Defendants' reply memoranda in support of their cross-motions are due.

In accordance with the Joint Motion for Scheduling Order, the Clerk is **DIRECTED** to terminate the Motion for Preliminary Injunction. (ECF No. 2.) This case remains open.

IT IS SO ORDERED.

4/2/2025
DATE

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE